Remarks

Claims 1-17 and 19-36 are currently pending. Reconsideration of the claims is respectfully requested.

Claim 1-3, 7-11 and 13-14 were rejected under 35 U.S.C. 103(a) as being unpatentable over Abrahams (2005/0086090) in view of Beverina (2001/0027389). Claims 4-6, 12 and 15-18 were rejected as being unpatentable over Abrahams and Beverina in view of Examiner's Official Notice that it is well known to measure negative impacts upon projects and to record minutes or topics discussed and the meeting date. Claims 19-20 were rejected as being unpatentable over Abrahams and Beverina in view of Heinrich US 6,895,383, which teaches an intranet for connecting workstations. Claims 21-28 were rejected as being unpatentable over Abrahams, Beverina and Heinrich in view of Examiner's Official Notice that it is well known to measure negative impacts upon projects.

In rejecting original claims 1 and 2, the Examiner cites to Abrahams' Table 1 as teaching a probability of occurrence table having a plurality of risk categories, each said category having table entries that include standardized qualitative probability definitions. The Examiner cites categories ranging from rare to almost certain. Applicant respectfully disagrees. Abrahams Table 1 describes a single generic risk category having five entries. Each entry has a level (subjective value) from Rare to Almost Certain and associates values including typical, minimum and maximum. This one Table is subjectively applied by the user to all different categories of risk. By comparison, Applicant's probability of occurrence table as exemplified by Figures 6 and 9 and described at page 11, lines 3-22 and page 12, line 28 to page 13, line 1 and as recited in claim 1 as amended includes a plurality of risk categories, each category having a plurality of table entries, each entry including a category specific standardized qualitative probability definition associated with a Pf rating. The provision of multiple risk categories each having category-specific standardized qualitative definitions removes variability from the risk management process due to user subjectivity and replaces it with standardized definitions. The single generic table of Abrahams that relies on the subjective decision making of the user is the very approach Applicant's invention is target to replace and improve upon. This feature is not taught, suggested or motivated by Abrahams.

Furthermore, Para 0075 of Beverina says "the GUI 202 provides a web-like interface to the system...." Para 0117 again says that the "design provides a web-like interface." Para 0283 refers to "web like navigation..." Beverina's tool gives the impression that it is web based when, in fact, it is not. Claim 1 recites a "web-browser" not a "web-like browser".

In rejecting original claim 3, the Examiner cites to Abrahams as teaching that a user can select inherent values of likelihood and consequence for a risk from Table 1. The Applicant respectfully disagrees. First, as discussed above Table 1 is a generic table for a single generic risk category so it is not possible to tailor the table to remove risk categories. Secondly, selecting values of likelihood from Table 1 is not equivalent to tailoring the table. Furthermore, claim 3 as amended more clearly recites the method for tailoring the probability of occurrence table. Namely a user having administrative access not provided to the plurality of users tailors the probability of occurrence table to select a reduced number of risk categories that are relevant to the current development project and stores the tailored table on the shared risk database with access to said plurality of users (See Figures 5 and 6, p, 10, line 25 to page 11, line 22). The categories, standardized definitions and Pf ratings are in general project agnostic. The user with administrative access selects the applicable categories for the current projects. As such the Pf table is broadly applicable to many projects and can be custom tailored to fit particular projects, which is a considerable advantage. This feature is not taught, suggested or motivated by Abrahams.

In rejecting original claim 4, the Examiner cites to Abrahams Table 2 as teaching that the severity of consequence table has a schedule impact category with the table entries having a cost impact category with the table entries specifying multiple sub-categories of cost impacts in actual dollars for the development project. The Examiner took Official Notice that it is old and well known in the art of project management to measure negative impacts upon projects like delays in units of time such as days, weeks or months. Applicant respectfully disagrees. First, Table 2 does not teach multiple sub-categories of cost impacts; the typical, minimum and maximum values are a range of dollar impacts for a single category, that category being the total aggregated impact. Second, although it may be well known in the art of project management such as used in

Microsoft Project, for example, to measure delays in days, weeks or months, it is not well known in the art of Risk assessment and management to do so. As shown in Applicant's Fig. 3, the standard approach is to assign a percentage (%) delay for the different entries so that the generic table can be used for any project without refinement.

Applicant has amended claims 2 and 4 to more specifically recite the novel elements of the invention as regards the severity of consequence Cf. As recited in claim 2, the table includes cost and schedule impact categories, each category having a plurality of table entries, each entry including a standardized qualitative impact definition and a project-specific amount associated with a Cf rating (Fig. 7, p. 11, 23 to p. 12, l. 8). The impact definitions are standardized whereas the amounts associated with the definitions and the Cf rating are project-specific. As with the probability of occurrence table this provides for general applicability to many different projects and customization to a current project. As recited in claim 4, the schedule impact entries specify a "project-specific" amount in days, weeks or months and the cost impact categories include multiple sub-categories of "project-specific" cost impacts in actual dollars. These features are not taught, suggested or motivated by Abrahams or the relevant art.

In rejecting claim 5, the Examiner cites Abrahams paragraph [0007] that states "the inherent risk impact cost is aggregated over the inherent cost of each consequence of the risk". From Table 2 "each consequence of risk" refers to 'insignificant', 'minor' etc. The inherent risk impact cost is aggregated over the different possible levels. The "insignificant", "minor" etc levels of risk are not equivalent to sub-categories of risk at each level (or entry). More specifically, they are not equivalent to NRE, DTC and O/W categories. The ability to express the risk factor in project-specific actual dollar terms for these sub-categories is a very useful feature, not taught, suggested or motivated by Abrahams.

Claim 6 has been amended to more specifically recite the method of tailoring the consequence table. A user having administrative access not provided to the plurality of users selects the cost impact sub-categories and specifies their dollar amounts and specifies the schedule impact for the current project. The tailored table is stored and then shared with the other users (See Figures 5 and 7, p. 10, line 25 to p. 11, line 2 and p. 11, line 23 to p. 12, line 8). The only 'tailoring' taught by Abrahams is for the individual

users to add new subject values and adjust typical values and associated ranges. Abrahams averages the input of all of the users to set new default values for the next time a user begins a project. There is no provision for an administrative user to tailor the consequence table in the manner claimed.

Independent claims 15, 19 and 25 as amended include similar limitations to those presented and argued in the above claims. These limitations are not taught, suggested or motivated by Abrahams or the relevant art.

New claims 29-32 as dependent from claim 1 and 34-36 as dependent from claim 19 are directed to a method and system of formulating a mitigation search for the identified risk. The Examiner rejected the formulation of a risk mitigation search over Para [0307] that states "risk mitigation also uses threat and countermeasure characteristics in making decisions. Various countermeasures are compared to the specific threat to determine which ones are most effective at mitigating the risk of the threat against the target." The Beverina tool "stores information about actors (individuals and/or groups), physical surroundings, historical events and other information." The Beverina tool selects countermeasures to prevent terrorist attacks based on an evaluation of the risk of a terrorist attack, the vulnerability and assessment of expected damage. It is an expert system that already has preconceived scenarios using the existence of roads, car barriers, guard stations, hills, etc. It simulates the most probable route for aggressors and calculates the likelihood of threat success, or accessibility. It can re-run the simulation to determine the effectiveness of modified countermeasures.

The new claims recite patentable features related to the formulation of a mitigation search and the development and execution of a mitigation plan not found in Beverina. In particular claims 28 and 34 are directed to formulating a mitigation search and formulating a new risk mitigation plan that builds upon the existing identified mitigation plans (p. 6, l. 14 and p. 12, l. 20-21). Beverina selects and than implements the countermeasure. Users in Beverina do not augment their own knowledge and expertise with the returned countermeasure to formulate a new countermeasure. Claims 29 and 35 recite that the mitigation search identifies both successful and unsuccessful existing risk mitigation plans (p. 6, l. 11-14). Beverina does not teach identifying unsuccessful countermeasures. Claim 30 recites aggregating the new risk mitigation

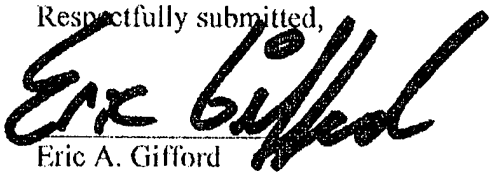
plans from a plurality of different users and different programs to update and store a risk mitigation plan for the risk (p. 5, l. 14-15). Beverina does not teach this feature. Claims 31 and 36 recite sharing resources with other programs to implement the mitigation plan (p. 14, l. 6). Beverina does not teach this feature. Claim 32 recites tracking changes in the risk and revising the mitigation plan to address the changes (p. 15, l. 13-15). Claim 33 recites that the mitigation plan includes a number of activities, each activity including a description and an assigned Pf and Cf rating. Beverina does not teach this feature (p. 14, l. 14-16).

Conclusion

It is respectfully urged that the subject application is patentable over the cited references and is now in condition for allowance.

The Examiner is invited to call the undersigned at the below listed telephone number if, in the opinion of the Examiner, such a telephone conference would expedite or aid the prosecution and examination of this application.

Respectfully submitted,



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